IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO.16960 OF 2007

Dated : August 10, 2007

Between:

D.Venkatesh

Petitioner

AND

The Commissioner of Police,
Hyderabad City,
Basheerbagh, Hyderabad and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO.16960 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R. VARMA)**

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is filed seeking to issue a writ of habeas corpus declaring the action of the respondent No.3 in illegally detaining Kum. Varalaxmi as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India.

3. The learned Assistant Government Pleader, representing the learned Advocate General, yesterday took notice and instructed the concerned Police – 2nd respondent, the Station House Officer, Tappachabutra Police Station, to enquire as to what were the real facts. Upon which, an enquiry had been conducted and it was found that the alleged detenu was working as handmaid in the house of the 3rd respondent.

4. However, this Court was further informed that the 3rd respondent, Mr. Jayapal, who is a Police Officer, is now working as Inspector, Police Control Room, and not as Inspector of Tappachabutra Police Station, but, however, he is presently sick and bed-ridden.

5. Upon being questioned by this Court, the alleged detenu, by name Kum. Varalaxmi, who was produced before this Court today by the Police, Tappachabutra Police Station, stated that a chain was found missing in the house of Mr. Jayapal, 3rd respondent, and upon which she was questioned seriously about the missing of the chain and nothing further had happened, as alleged in the writ petition.

6. That apart, mother of the alleged detenu, by name Smt. Padmaja, and step-father of the alleged detenu, by name D.Venkatesh, who is the petitioner, are also present before this court. The alleged detenu has identified her mother and the petitioner. Her mother and stepfather - the petitioner have identified the alleged detenu and when asked by this Court, they expressed their readiness and willingness to take back the alleged detenu with them. The alleged detenu also expressed the same.

7. In view of the above, the petitioner and his wife are directed to take the alleged detenu, Kum. Varalaxmi, along with them.

8. Therefore, no further action need be taken nor any order need be passed, in view of the detection of the alleged detenu and produced before this Court safely.

9. The writ petition is accordingly disposed of, at the stage of admission. No order as to costs.

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D.S.R.Varma, J.

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D.Appa Rao, J.

August 10, 2007
MAS